

MICHAEL N. FEDER

Nevada Bar No. 7332

DICKINSON WRIGHT PLLC

3883 Howard Hughes Parkway, Suite 800

Las Vegas, NV 89169

Telephone: 702-550-4400

Facsimile: 844-670-6009

Email: mfeder@dickinsonwright.com

MARTIN D. HOLMES (*Pro Hac Vice*)

Tennessee Bar No. 012122

PETER F. KLETT (*Pro Hac Vice*)

Tennessee Bar No. 012688

AUTUMN L. GENTRY

Tennessee Bar No. 020766

DICKINSON WRIGHT PLLC

Fifth Third Center, Suite 800

424 Church Street

Nashville, TN 37219

Telephone: 615-244-6538

Facsimile: 844-670-6009

Email: mdholmes@dickinsonwright.com

pklett@dickinsonwright.com

agentry@dickinsonwright.com

Attorneys for Plaintiff and

Collective Class Members

TREVOR W. HOWELL (*Pro Hac Vice*)

Tennessee Bar No. 009496

HOWELL LAW, PLLC

P.O. Box 158511

Nashville, TN 37215

Telephone: (615) 406-1416

Email: trevor@howelllawfirmllc.com

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ALBERTO DELARA, on behalf of himself and
others similarly situated,

Plaintiff,

v.

DIAMOND RESORTS INTERNATIONAL
MARKETING, INC.,

Defendant.

Case No. 2:19-cv-00022-APG-NJK

**STIPULATION AND ORDER
EXTENDING THE DEADLINE
FOR PLAINTIFF TO FILE HIS
OPPOSITION TO DEFENDANT'S
MOTION FOR SUMMARY
JUDGMENT AND THE
DEADLINE FOR DEFENDANT
TO FILE ITS REPLY**

(FIRST REQUEST)

1 Plaintiff Alberto Delara, on behalf of himself and others similarly situated, and Defendant
2 Diamond Resorts International Marketing, Inc. (Plaintiff and Defendant are collectively referred
3 to as “the Parties”), by and through their respective counsel, hereby submit this Stipulation and
4 Order extending the deadline for Plaintiff to file his opposition to Defendant’s Motion for
5 Summary Judgment by seven days and extending Defendant’s deadline to file its reply by a mutual,
6 corresponding, seven days. Defendant filed its Motion for Summary Judgment on March 19, 2021.
7 (ECF No. 141.) Plaintiff’s opposition is due by April 9, 2021. This is the Parties’ first request to
8 extend the deadlines for Plaintiff to file his opposition to Defendant’s Motion for Summary
9 Judgment and for Defendant to file its reply to Plaintiff’s opposition to Defendant’s Motion for
10 Summary Judgment.

11 The Parties HEREBY STIPULATE AND AGREE as to the following:

12 1. On March 19, 2021, Defendant filed its Motion for Summary Judgment (ECF No.
13 141) and Plaintiff’s opposition is due on or before April 9, 2021.

14 2. Plaintiff’s lead counsel, Martin Holmes, is traveling out of state from his home on
15 April 5, 2021, to undergo medical testing that week and a surgical procedure under general
16 anesthesia on April 9, 2021, the due date of Plaintiff’s Opposition. Mr. Holmes is scheduled to
17 return to home on April 12, 2021.

18 3. During the time period between April 5, 2021 and April 12, 2021, Mr. Holmes will
19 have limited access to emails and other communication with co-counsel and staff, and will not be
20 in the office during the week of April 5 – 9, 2021, to oversee the completion and filing of Plaintiff’s
21 opposition to Defendant’s Motion for Summary Judgment.

22 4. Plaintiff’s counsel has conferred with Defendant’s counsel. In light of the
23 circumstances, the Parties submit that good cause exists for a mutual, seven-day, expansion of the
24 briefing schedule and extension of the filing deadlines. Specifically, Plaintiff would have four
25 weeks instead of three weeks to submit his opposition, which extends his deadline from April 9,
26 2021, to April 16, 2021. Likewise, Defendant would have three weeks instead of two weeks to
27
28

1 submit its reply, which extends its deadline from April 30, 2021 to May 7, 2021.¹ The requested
2 extensions should not cause any material delay in these proceedings.

3 5. Based on the foregoing, the Parties stipulate that Plaintiff's opposition to
4 Defendant's Motion for Summary Judgments shall be filed on or before April 16, 2021 and
5 Defendant's reply to Plaintiff's opposition to Defendant's Motion for Summary Judgment shall be
6 filed on or before May 7, 2021.

7
8 IT IS SO STIPULATED this 31st day of March, 2021.

9 DICKINSON WRIGHT PLLC

LEWIS ROCA ROTHGERBER CHRISTIE LLP

10 /s/ Martin D. Holmes

/s/ Ferry Eden Lopez

11 MICHAEL N. FEDER

HOWARD E. COLE

12 Nevada Bar No. 7332

Nevada Bar No. 4950

13 3883 Howard Hughes Parkway

JENNIFER K. HOSTETLER

14 Suite 800

Nevada Bar No. 11994

15 Las Vegas, NV 89169

BRIAN D. BLAKELY

Nevada Bar No. 13074

3993 Howard Hughes Pkwy, Suite 600

Las Vegas, NV 89169-5996

16 MARTIN D. HOLMES

(Admitted Pro Hac Vice)

17 Tennessee Bar No. 012122

KIRSTIN E. MULLER

(Admitted Pro Hac Vice)

18 PETER F. KLETT

California Bar No. 186373

19 (Admitted Pro Hac Vice)

20 Tennessee Bar No. 012688

ALISON M. HAMER

(Admitted Pro Hac Vice)

21 Fifth Third Center, Suite 800

California Bar No. 258281

22 424 Church Street

BENJAMIN J. TREGER

(Admitted Pro Hac Vice)

23 Nashville, TN 37219

California Bar No. 285283

24 TREVOR W. HOWELL

FERRY EDEN LOPEZ

(Admitted Pro Hac Vice)

25 (Admitted Pro Hac Vice)

26 Howell Law, PLLC

California Bar No. 27480

27 P.O. Box 158511

Hirschfeld Kramer LLP

28 Nashville, TN 37215

233 Wilshire Boulevard, Suite 600

Santa Monica, California 90401

Attorneys for Plaintiff and

Collective Class Members

Attorneys for Defendant

29 Based on the Parties' stipulations, and for good cause shown, it is hereby ORDERED that
30 the Plaintiff's opposition to Defendant's Motion for Summary Judgment shall be filed on or before
31

32 ¹ Pursuant to Local Rule 7-2(b), Defendant's reply is due 14 days after service of Plaintiff's response.

1 April 16, 2021 and Defendant's reply to Plaintiff's opposition to Defendant's Motion for Summary
2 Judgment shall be filed on or before May 7, 2021.

3
4 IT IS SO ORDERED:

5 
6 ANDREW P. GORDON
7 United States District Judge

8 DATED: April 1, 2021
9

10 **CERTIFICATE OF SERVICE**

11 I hereby certify that on March 31, 2021, I caused a true and accurate copy of the foregoing
12 STIPULATION AND ORDER EXTENDING THE DEADLINE FOR PLAINTIFF TO FILE HIS
13 OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND THE
14 DEADLINE FOR DEFENDANT TO FILE ITS REPLY to be filed with the Clerk of the Court via
15 the Court's CM/ECF system, which sent an electronic copy of same to the following counsel of
16 record:

17 HOWARD E. COLE
18 JENNIFER K. HOSTETLER
19 BRIAN D. BLAKELY
20 LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996

21 ALISON MEGAN HAMER (Admitted Pro Hac Vice)
22 BENJAMIN JOSEPH TREGER (Admitted Pro Hac Vice)
23 KIRSTIN ELISABETH MULLER (Admitted Pro Hac Vice)
24 FERRY EDEN LOPEZ (Admitted Pro Hac Vice)
HIRSCHFELD KRAMER LLP
25 233 Wilshire Boulevard, Suite 600
Santa Monica, California 90401

26 *Attorneys for Defendant*

27 /s/ Martin D. Holmes
Martin D. Holmes

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